

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

UNITED STATES OF AMERICA, §
Plaintiff, §
v. § CIVIL ACTION NO.
§
\$295,940.00 UNITED STATES CURRENCY §
§
Defendant. §

**VERIFIED COMPLAINT FOR CIVIL FORFEITURE
IN REM AND NOTICE TO POTENTIAL CLAIMANTS**

Plaintiff, the United States of America, by and through the United States Attorney, Alamdar S. Hamdani, and the undersigned counsel, Mary Ellen Smyth, Assistant United States Attorney, files this action for forfeiture *in rem* against the above-captioned property. The United States respectfully alleges on information and belief as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1345 and 1355. The Defendant currency is in the Southern District of Texas and is within the jurisdiction of this Court.
2. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1355, 1391(b) and 1395(a) and (b). Acts and omissions giving rise to forfeiture occurred in the Southern District of Texas.

PROPERTY SUBJECT TO FORFEITURE

3. The Defendant currency is described as \$295,940 in United States currency (the “seized currency”), and was seized on May 9, 2023, from Juan Manuel Gonzalez.

INTERESTED PARTIES

4. On or about September 13, 2023, Adriana Jones and Howard Miller, on behalf of himself and others, submitted a claim through their attorneys, Michael Elsner of Motley Rice, LLC law firm and Samuel F. Miller of Mitchell & Mitchell, LLC to the Drug Enforcement Agency (hereinafter DEA”) contesting administrative forfeiture of the seized currency.

STATUTORY BASIS FOR FORFEITURE

5. The seized currency is subject to forfeiture under 21 U.S.C. § 881(a)(6), which provides for the forfeiture of all monies furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of the Controlled Substances Act (21 U.S.C. § 801, *et seq.*), all proceeds traceable to such an exchange, and all moneys used or intended to be used to facilitate any violation of the Controlled Substances Act.

6. The seized currency is subject to forfeiture, under 18 U.S.C. § 981(a)(1)(A), which provides for the forfeiture of any property involved in a transaction or attempted transaction in violation of 18 U.S.C. §§ 1956 or 1957, money laundering, and all proceeds traceable to such an exchange, and all moneys used or intended to be used to facilitate any violations listed in this paragraph.

FACTUAL BASIS FOR FORFEITURE

7. On May 9, 2023, DEA special agents and task force officers with the Harris County Sheriff's Department were conducting an undercover money laundering investigation in the Houston, Texas area. During the investigation, information was received that an individual driving a Honda truck would be arriving to the parking lot of a Starbucks located in the 19000 block of North Freeway, Spring, Texas. The driver of the truck was going to deliver narcotic trafficking proceeds to another individual.

8. DEA Task Force Officer Jonathan Sandel observed an older model black Honda Ridgeline drive into the parking lot of Starbucks. Vehicle registration was researched using the rear Texas tag and it was determined that the vehicle registration had expired in February 2021. This information was relayed to Harris County Deputy Sheriffs in marked units who were assisting federal law enforcement.

9. The Honda Ridgeline left the Starbucks parking lot and continued to drive through adjoining business parking lots and then exit onto the northbound feeder road of North Freeway (Interstate Highway 45). Harris County Deputy Sheriff A. Vaca initiated a traffic stop of the Honda Ridgeline for operating with an expired vehicle registration. The driver was identified as Juan Manuel Gonzalez and passenger as Celio Ivan Gamez Ramirez.

10. During the traffic stop, Deputy Vaca conducted a consent search of the Honda Ridgeline and located a bag in the rear seat which contained a box. A second box was located under the passenger front seat. Inside the containers, Deputy Vaca found and seized bundles of United States currency. A later count of the currency determined the total amount to be \$295,940.

11. Following the seizure of the currency, a Harris County Sheriff's Department narcotic detecting law enforcement K-9 conducted a free air sniff in the areas where the two boxes containing

seized currency had been placed. The law enforcement K-9 alerted to the presence of the odor of narcotics from each box.

CONCLUSION

Based on the foregoing facts, there is probable cause to believe that the seized currency was involved in money laundering and was intended to be furnished in exchange for a controlled substance in violation of the Controlled Substances Act, 21 U.S.C. § 801, et. seq., or was proceeds traceable to such an exchange, or was used or intended to be used to facilitate any violation of the Controlled Substances Act, 21 U.S.C. § 801, et seq.

NOTICE TO ANY POTENTIAL CLAIMANT

YOU ARE HEREBY NOTIFIED if you assert an interest in the seized property subject to forfeiture and want to contest the forfeiture, you must file a verified claim which fulfills the requirements set forth in Rule G of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. The verified claim must be filed no later than thirty-five (35) days from the date this complaint was sent to you, in accordance with Rule G(4)(b); or, if this Complaint was not sent to you, no later than 60 days after the first day of publication of notice on an official internet government forfeiture site, in accordance with Rule G(5)(a)(ii)(B).

An answer or a motion under Federal Rule of Civil Procedure 12 must be filed no later than twenty-one (21) days after filing the claim. The claim and answer must be filed with the United States District Clerk for the Southern District of Texas, 1300 Victoria, Laredo, Texas, 78040. A copy must also be served upon the undersigned Assistant United States Attorney either electronically or at the address provided in this Complaint.

RELIEF REQUESTED

The United States will serve notice, along with a copy of the Complaint, on any persons who reasonably appear to be potential claimants in this matter. The United States seeks a final judgment forfeiting the seized currency to the United States and any other relief to which the United States may be entitled.

Respectfully submitted,

ALMADAR S. HAMDANI
United States Attorney

/s/ Mary Ellen Smyth
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VERIFICATION

I, Jonathan N. Sandel, a law enforcement officer employed by the Drug Enforcement Administration (DEA) as a Federal Task Force Officer, declare under the penalty of perjury, as provided by 28 U.S.C. § 1746, that I have read the foregoing Verified Complaint for Civil Forfeiture In Rem and Notice to Potential Claimants, and that the facts stated in paragraphs 7-11 are based upon my personal knowledge, upon information obtained from other law enforcement personnel, or upon information I obtained in the course of my investigation, and they are true and correct to the best of my knowledge and belief.

Executed on the 13th day of February 2023.



Jonathan N. Sandel,
Task Force Officer
Drug Enforcement Administration